

**RCW 77.65.320 Wholesale fish buyers/limited fish seller—**

**Performance bond.** (1) A wholesale fish buyer or limited fish seller must deposit with the department an acceptable performance bond on forms prescribed and furnished by the department before engaging in fish selling or buying activities. This performance bond shall be a corporate surety bond executed in favor of the department by a corporation authorized to do business in the state of Washington under chapter 48.28 RCW and approved by the department.

(a) For wholesale fish buyers, the bond shall be filed and maintained in an amount equal to two thousand dollars. For each additional buyer engaged by the wholesale business, the bond must be increased an additional one thousand dollars.

(b) For limited fish sellers, the bond shall be filed and maintained in an amount equal to one thousand dollars.

(c) The department may increase the bond amount for persons who have violated rules relating to the accounting of commercial harvest.

(2) The director may suspend and refuse to reissue a wholesale fish buyer endorsement of a person who has taken possession of fish or shellfish without an acceptable performance bond on deposit with the department.

(3) The director may suspend and refuse to reissue a limited fish seller endorsement to a commercial fisher who has sold fish or shellfish without an acceptable performance bond on deposit with the department.

(4) The bond shall be conditioned upon the compliance with the requirements of this chapter and rules of the department relating to the payment of fines for violations of rules for the accounting of the commercial harvest of fish or shellfish. In lieu of the surety bond required by this section, the wholesale fish buyer or limited fish seller may file with the department a cash deposit, negotiable securities acceptable to the department, or an assignment of a savings account or of a savings certificate in a Washington bank on an assignment form prescribed by the department.

(5) Liability under the bond may be released only upon written notification from the department. Notification shall be given upon acceptance by the department of a substitute bond or forty-five days after the expiration of the wholesale fish buyer or limited fish seller annual endorsement. In no event shall the liability of the surety exceed the amount of the surety bond required under this chapter. [2017 3rd sp.s. c 8 § 31; 2000 c 107 § 49; 1996 c 267 § 30; 1985 c 248 § 6. Formerly RCW 75.28.323.]

**Finding—Intent—Effective date—2017 3rd sp.s. c 8:** See notes following RCW 77.08.010.

**Intent—Effective date—1996 c 267:** See notes following RCW 77.12.177.